



The Secretary of Energy

Washington, DC 20585

March 26, 2021

Dear Tribal Leader –

I am honored and humbled to serve as Secretary of the U.S. Department of Energy (DOE) and to work with you to address climate challenges, build greater capacity in meeting our combined energy and environmental cleanup goals, and further develop economies and advance jobs across Indian Country. In his [January 26, 2021, Memorandum](#) regarding Executive Order 13175, President Biden made it clear that strengthening our Government-to-Government relationship is a key priority to address our nation's many challenges. The President also noted that respect for Tribal sovereignty and self-governance, fulfilling Federal trust responsibilities to Tribal Nations, and regular and meaningful and robust consultation with Tribal officials are the utmost priority for this administration. I am optimistic about what we can accomplish together.

It is with that in mind that **I invite you or your designated representative to participate in a Tribal consultation session on consultation policy with DOE leaders from across the Department on Friday, April 9, 2021.** The latest version of the [DOE American Indian Alaska Native Tribal Government Policy](#) and corresponding DOE Order 144.1 were published in 2009.

Information gathered in this consultation session will build upon DOE foundational activities and guiding documents to craft an updated implementation plan for future Tribal consultation. While the Department coordinates on matters that have direct impact on Tribal Nations and communities and Alaska Native Corporations and communities through our programs and on shared issues through our various working groups and biennial Tribal Energy Summit, we look forward to using your input to broaden our consultative process. A key goal of this effort is to ensure that DOE leadership, staff, and contractors understand and engage in an open and transparent manner with Tribal Nations and Alaska Native Corporations while fulfilling DOE's critical missions.

To help facilitate the consultation session, please see the attachments for your consideration. I encourage you to submit written comments prior to the consultation session, especially if you are unable to attend, as we are eager for your input. The Department will meet with representatives of tribes and Alaska Native Corporations throughout the year to further refine its plan and submit an update of the plan to the White House by October 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Granholm".

Jennifer Granholm

Attachments:

1. Tribal Consultation Session on Consultation Policy Details and Feedback Guidance
2. Foundational Documents and Activities Guiding DOE's Tribal Consultation Activities
 - a. DOE American Indian Alaska Native Tribal Government Policy (2009)
 - b. DOE Order 144.1 (2009)

Tribal Consultation Session on Consultation Policy Details and Feedback Guidance

Invited Participants: This formal consultation session is only open to federally recognized Tribal Leaders, Leaders of Alaska Native Tribes and Villages, Alaska Native Corporations (ANC), or their designees.

Friday, April 9, 2021

3:00 p.m. – 6:00 p.m. EST

To register for this session, email TribalConsultation@hq.doe.gov.

Consultation Guiding Questions

The [DOE's American Indian Alaska Native Tribal Government Policy](#) and corresponding DOE Order 144.1 (2009) guide DOE's relationship with Tribal Nations and Alaska Native Corporations, including relating to consultation. Please provide input to the following questions:

1. Do the seven Guiding Principles, as outlined in DOE's 2009 policy capture the necessary elements to ensure regular and meaningful consultation with Tribal officials?
2. Does [DOE Order 144.1](#) and the associated [Implementation Plan](#) provide an adequate framework to guide DOE's consultation, cooperation with Tribal nations, and the effective implementation of its policy.
3. Considering the breadth and depth of DOE's mission and activities, what do you see as the primary challenges and opportunities in working with DOE?
4. What are the most productive approaches or improvements for DOE to consider to ensure regular and meaningful consultation?
5. What topics and decisions related to DOE's mission should be a priority in current and future consultations?

Please send your comments and recommendations by 11:59 p.m. on April 7, 2021, to TribalConsultation@hq.doe.gov. This information will be used to finalize the DOE 2021 Tribal Consultation Implementation Plan.

Foundational Documents and Activities Guiding DOE's Tribal Consultation Activities

This letter comes to you following [President Biden's Memorandum](#) issued on January 26, 2021, on Tribal Consultation and Strengthening Nation-to-Nation Relationships. The Memorandum asks Federal agencies to submit a detailed plan for implementing [Executive Order 13175](#). This Order required executive departments and agencies to engage in regular, meaningful, and robust consultation with Tribal officials and officials representing Alaska Native Corporations in the development of federal policies that have Tribal implications.

In 1992, DOE developed its [American Indian and Alaska Native Tribal Government Policy](#) (The Policy) and the [DOE Order 144.1 \(2009\)](#) (The Order). The Policy's principles include establishing "mechanisms for outreach, notice, and consultation, and ensure integration of Indian Nations into decision-making processes," and states "[t]he Secretary of Energy will conduct periodic summits with Tribal Leaders for Performance Review of Policy Implementation and Issue Resolution." The Order provides a framework for DOE to implement the Policy.

In addition to its direct government-to-government relationship with Tribal nations Alaska Native Corporations, DOE also supports Tribal working groups including the State and Tribal Working Group (STGWG), Indian Country Energy and Infrastructure Working Group (ICEIWG) and the Nuclear Energy Tribal Working Group (NETWG). These working groups serve as venues for consistent engagement with tribes and Alaska Native Corporations to address tribal interests related to DOE program actions pertaining to addressing the Manhattan Project's legacy and environmental cleanup, ongoing nuclear research and energy development, and tribal energy development. Additionally, DOE engages with tribes and Alaska Native Corporations to address research and defense-related activities, energy programs to maximize energy security, and power marketing administrations.

Since 2011 DOE has hosted a biennial National Tribal Energy Summit and various Tribal and Alaska Native Corporation leader dialogues and roundtables, which bring together leaders from across the country to engage with DOE. There is still more the Department can do to strengthen its relationship with Indian country.